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C O N F I D E N T I A L SECTION 01 OF 03 HONG KONG 001653

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SUBJECT: OUTLOOK FOR HONG KONG LEGCO ELECTIONS

REF: HONG KONG 1599

Classified By: Consul General Joseph R. Donovan for reason 1.4 (d)

11. (C) Summary: The pan-democratic camp should hold on to at least a third of the 60 seats in the September 7 Legislative Council (Legco) Elections, narrowly depriving pro-government and pro-Beijing forces the 2/3 supermajority required to change the Basic Law and electoral arrangements. The crucial issue for the pan-democrats will be how many seats above the bare minimum of 21 needed for a "blocking minority" they will win. If they have only 21 or 22 seats, the government and the pro-Beijing camp may be able on some issues to sway the one or two votes needed to break the blocking minority. End summary.

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Analytical Caveats  
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12. (C) The predictions below are based on conversations with our contacts across the political spectrum, media reporting and analysis, and published polls by both the University of Hong Kong and Chinese University of Hong Kong. With "best case" defined as the democrats winning every seat they have a reasonable chance of winning, and "worst case" being defeat in every contest they have not locked up, we see the spread thus:

Constituency	Open	Current	Best	Worst
Hong Kong Island	6	4	4	3
Kowloon East	4	3	2	2
Kowloon West	5	3	4	3
New Territories East	7	4	4	3
New Territories West	8	5	5	4
Functionals	30	7	8	4
Total	60	26	27	19

Thus, from a status quo of 26 seats, the democrats could go as high as 27 or as low as 19 (less than the minimum to maintain their "blocking minority"). The median estimate from a broad range of contacts has the democrats winning a total of 21-23 seats, for a net loss of 3-5 seats.

13. (C) Polls in Hong Kong are problematic as an analytical tool because they reflect the trend among Hong Kong voters to change their support from a slate in their respective political camp which seems assured of victory to one which seems to need more support. Thus, particularly as elections approach, popular incumbents will often appear to lose their early leads, as their supporters consider where else their votes might be needed. As a result, all parties in both camps can be expected to issue panic warnings to ensure their constituents go to the polls September 7. A complicating factor this year is the pan-democratic-led outcry against the use of exit polling by the pro-Beijing camp to direct voters

on election day (legal, but too expensive for the democrats to match), which has put all polling in a bad light and lowered participation rates.

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Hong Kong Island  
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14. (C) The democrats will win at least three and possibly four of the six seats on Hong Kong Island. We expect the Democratic Party's (DPHK) Kam Nai-wai will take the seat vacated by retiring DPHK leader Martin Lee, but that incumbent Yeung Sum (number two on the DPHK's only slate) will lose his seat. The Civic Party's (CP) slate will win seats for both incumbent party leader Audrey Eu and her protege Tanya Chan. Chan heads the slate, so their victory appears to represent a CP gain from the DPHK's loss, although both slates should win a portion of Anson Chan's supporters. The two existing pro-Beijing seats, Legco President Rita Fan and the Democratic Alliance for the Betterment of Hong Kong (DAB) incumbent Ms. Choy So-yuk will likely go to former Security Secretary Regina Ip and DAB heavyweight Jasper Tsang. Tsang is an incumbent, but has moved from his former Kowloon West constituency to Hong Kong Island. Rita Fan is retiring and moving on to an anticipated National People's Congress Standing Committee seat. Choy, forced by the DAB leadership to take the number two position behind Tsang, will likely lose her seat because of pro-Beijing defections to Regina Ip's slate. The final seat, which we reckon as the one opened by Anson Chan's retirement, is still up for grabs. The favorite, albeit barely, is Civic Act-up activist and former Legco member Ms. Cyd Ho. Her best shot at winning is

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a sufficiently fierce contest between the DAB and Regina Ip that results in each slate getting more seats than needed for one seat, but too few for a second, which will lower the share of the vote Ho needs to win her seat (see reftel). Previously, the pro-Beijing camp probably would have tried to engineer victories for Ip, Tsang and Choy, but after Ip spurned DAB support following her 2007 by-election defeat, the two slates have been in open competition. Should Ho fail to draw enough support, the next most likely challenger is Ip slate number two Louis Shih.

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Kowloon East  
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15. (C) One democratic seat in Kowloon East is lost because of redistricting to Kowloon West, and we expect the remaining seats will be split between two democratic and two pro-Beijing incumbents. Incumbents Fred Li (DPHK), Alan Leong (CP), and Chan Kam-lam (DAB) are expected to hold their seats. Pro-Beijing Federation of Trade Unions (FTU) incumbent Ms. Chan Yuen-han has dropped to number two on the FTU slate, leading us to expect slate headliner Wong Kwok-kin will take Chan's seat. However, the FTU has openly declared its willingness to compete with the DAB for votes. Polls indicate the FTU is more popular than the DAB as a "brand", so an upset is not impossible. Independent democrat Albert Cheng is seen as the seat lost in the re-allocation to Kowloon West, and is not running.

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Kowloon West  
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16. (C) The democrats will win at least three if not four of Kowloon West's five seats. DPHK's James To and the Association for Democracy and People's Livelihood's (ADPL) Frederick Fung are tipped to retain their seats, although recent polls show a slip for To. Ms. Starry Lee is expected to replace Jasper Tsang in the DAB's seat. Pro-democracy Confederation of Trade Unions' (CTU) Lau Chin-shek could normally expect reelection, but for reasons currently unclear

has declined to take part in election fora, which may cost him his seat. That plus the addition of a new seat has opened up the race, making it one of the most dynamic. Rookies Wong Yuk-man (pro-democracy League of Social Democrats, or LSD) and Claudia Mo (CP) are polling well enough that we expect both to take seats. While independent (but allegedly Beijing-backed) Priscilla Leung polls fairly well, the pro-Beijing camp will look first to Starry Lee, and would need an extremely high degree of accuracy in its exit-poll guided vote management both to guarantee Lee's seat yet still send enough votes to Leung to win a seat. Liberal Party (LP) rookie Michael Tien, brother of LP leader James Tien, seems out of the running.

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New Territories East  
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17. (C) Polling suggests the democrats are at some risk of losing a seat in New Territories East, but we expect them to hold their current four out of seven. The DAB may actually win two seats off the same slate here, with incumbent Lau Kwong-wah expected to return and rookie Gary Chan expected to take retiring DAB incumbent Li Kwok-ying's seat. LP leader James Tien, DPHK's Andrew Cheng, and the CP's Ronny Tong are expected to be reelected. Some contacts and polls have suggested, with varying degrees of conviction that the Frontier's Emily Lau and LSD's Leung Kok-hung (aka Long Hair) are less secure now than in the past. Nothing we've seen suggests to us Lu will not return to Legco. A case could be made that the voters may be tiring of Long Hair's lack of a record in Legco of anything other than disruptive publicity stunts, and Leung himself has suggested bitterly in the media he might lose his seat to another democrat, perhaps DPHK rookie Wong Sing-chi. Leung has a hard core of support, however, and we find it most likely he will scrape by in the end. While Wong is one of DPHK's young leaders receiving particular support (septel), voters who defect from Long Hair could just as easily split their votes up among Cheng, Tong, and Lau as they could back Wong. Should Leung lose his seat, but Wong lose as well, the next most likely scenario is that independent (but allegedly Beijing-backed) Scarlett Pong would win. Her problem is the same as Wong's -- we expect the DAB ticket to sweep the available pro-Beijing votes in order to seat Lau and Chan, leaving too little support to elect Leung.

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New Territories West  
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18. (C) We expect the democrats to hold on to their five of New Territories West's eight seats, although number five is at some risk. Incumbents Albert Ho and Lee Wing-tat, heading separate DPHK slates, should be reelected, as should CTU incumbent Lee Cheuk-yan. Leung Yiu-chung, an incumbent in the smaller pro-democratic labor movement the Neighbourhood and Workers Service Center, should also be reelected. LP incumbent Selina Chow is polling lower, but also appears safe. DAB's decision to put two incumbents -- Party Chairman Tam Yiu-chung and Cheung Hok-ming -- on a single slate is a riskier bet here, particularly with the more popular FTU running Wong Kwok-hing (currently serving as one of three Legco members in the Labor Functional Constituency). However, Cheung is backed by the Heung Yee Kuk, a regional council representing indigenous communities in the New Territories, and thus we believe he will edge out Wong. For the remaining seat, LSD incumbent Albert Chan would seem to have the best chance. CP's Fernando Cheung, who currently serves in the Social Welfare Functional Constituency, lacks a local base of support, and would need to draw votes from five incumbent pan-democrats to win.

## Functional Constituencies (FC) (30 seats)

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19. (C) The democrats hold seven FC seats but could lose two. All remaining seats will be either pro-Beijing or pro-establishment independents. CP will probably keep Margaret Ng's seat in the Legal FC, lose Mandy Tam's in the Accountancy FC, and might pick up a new seat for Albert Wai in the Engineering FC. CP's Paul Zimmerman is contesting the open Tourism FC, but will probably lose. DPHK should hold Cheung Man-kwong's seat in the Education FC and may win a seat for Tik Chi-yuen in Social Welfare. DPHK's Stanley Ng is challenging incumbent independent Patrick Lau in the Architecture, Surveying and Planning FC and will probably lose. Independent democrat Joseph Lee should hold the Health Services FC seat, but fellow independent democrat Kwok Ka-ki may be at risk in the Medical FC from HKU Professor Ho Pak-leung, an independent. Retiring Information Technology incumbent (and DPHK Vice-Chair) Sin Chong-kai will likely be replaced by independent democrat Charles Mok, who enjoys support from telecom magnate (and Li Ka-shing prodigal son) Richard Li. Mok is rumored to be planning to join the Civic Party after election.

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